

Docket No.: 50254-061

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
	:	
Charles S. PALM, et al.	:	
	:	
Serial No.: 09/117,219	:	Group Art Unit:
	:	
Filed: July 24, 1998	:	Examiner:
	:	
For: 3D STEREO BROWSER FOR THE INTERNET	:	

**RESPONSE TO NOTICE
OF MISSING REQUIREMENTS OF APPLICATION**

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice of Missing Requirements of Application dated December 14, 1998, submitted herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.497(a) and (b))
2. Small Entity Declaration
3. Correspondence Address Change

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R.

1.136. Please charge any shortage in fees due in connection with the filing of this paper,

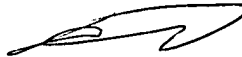
09/117,219

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

It is requested that the official filing receipt now be issued.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



David L. Stewart
Registration No. 37,578

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 DLS:dtb
Date: January 13, 1999
Facsimile: (202) 756-8699

69 Rec'd PCT/PTO 13 JAN 1999

#4 GPH
11 Mar 99

Docket No.: 50254-061

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Charles S. PALM, et al.

Serial No.: 09/117,219

Filed: July 24, 1998

For: 3D STEREO BROWSER FOR THE INTERNET

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Group Art Unit: 2672

Examiner: Wesner Sajous

TRANSMITTAL OF VERIFIED STATEMENT
CLAIMING SMALL ENTITY STATUS

Honorable Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

Transmitted herewith for filing in the above referenced application is the following:

VERITIFED STATEMENT CLAIMING SMALL ENTITY STATUS –

SMALL BUSINESS CONCERN

Respectfully submitted,

MCDERMOTT, WILL & EMERY



David L. Stewart

Registration No. 37,578

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 DLS:dtb
Date: January 13, 1999
Facsimile: (202) 756-8699

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

50254-061

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)

09/117219

INTERNATIONAL APPLICATION NO.

PCT/US97/02035

INTERNATIONAL FILING DATE

February 7, 1997

PRIORITY DATE CLAIMED

February 8, 1996 and February 7, 1997

TITLE OF INVENTION

3D STEREO BROWSER FOR THE INTERNET

APPLICANT(S) FOR DO/EO/US

Charles S. PALM and Brandie D. LYNN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information.

Small Entity Declaration

U.S. APPLIC. NO. (if known, see 37 CFR 1.50) 09/117219	INTERNATIONAL APPLICATION NO. PCT/US97/02035	ATTORNEY'S DOCKET NUMBER 50254-061
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	CALCULATIONS	PTO USE ONLY																																																																														
17. <input type="checkbox"/> The following fees are submitted: <div style="margin-left: 20px;"> Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$930.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) \$720.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$790.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1070.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$98.00 </div> <div style="text-align: right; margin-top: 10px;"> ENTER APPROPRIATE BASIC FEE AMOUNT = </div>																																																																																
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$																																																																															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">Claims</th> <th style="width: 15%;">Number Filed</th> <th style="width: 15%;">Number Extra</th> <th style="width: 15%;">Rate</th> <th style="width: 15%;"></th> <th style="width: 15%;"></th> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">-20 =</td> <td></td> <td style="text-align: center;">x \$22.00</td> <td>\$</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">-3 =</td> <td></td> <td style="text-align: center;">x \$82.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="3">Multiple dependent claim(s) (if applicable)</td> <td style="text-align: center;">+ \$270.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL =</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4"></td> <td style="text-align: center;">Amount to be: refunded</td> <td>\$</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: center;">charged</td> <td>\$</td> </tr> </table>	Claims	Number Filed	Number Extra	Rate			Total Claims	-20 =		x \$22.00	\$		Independent Claims	-3 =		x \$82.00	\$		Multiple dependent claim(s) (if applicable)			+ \$270.00	\$		TOTAL OF ABOVE CALCULATIONS =				\$		Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$		SUBTOTAL =				\$		Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		TOTAL NATIONAL FEE =				\$		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$		TOTAL FEES ENCLOSED =				\$						Amount to be: refunded	\$					charged	\$		
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a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500417</u> . A duplicate copy of this sheet is enclosed.																																																																																
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																																																																																
SEND ALL CORRESPONDENCE TO:																																																																																
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> McDERMOTT, WILL & EMERY 99 Canal Center Plaza, Suite 300 Alexandria, VA 22314 (202) 756-8600 Facsimile (202) 756-8699 </div> <div style="width: 45%;"> <div style="text-align: center;"> SIGNATURE </div> <div style="text-align: center;"> David L. Stewart NAME </div> <div style="text-align: center;"> 37,578 REGISTRATION NUMBER </div> <div style="text-align: center;"> January 13, 1999 DATE </div> </div> </div>																																																																																



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

Resp. 11/4/99

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/117219	PALM	C 50254-061

MCDERMOTT WILL & EMERY
99 CANAL CENTER PLAZA, SUITE 300
ALEXANDRIA, VA 22314

INTERNATIONAL APPLICATION NO.

PCT/US97/02035

I.A. FILING DATE

PRIORITY DATE

07 FEB 97

08 FEB 96

DATE MAILED

DEC 14 1998

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

☐ a Designated Office (37 CFR 1.494),

☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____.

☒ Information Disclosure Statement(s) filed JUL 24, 1998 and _____.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____.

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/917 (December 1997)

Charita A. Burt, paralegal

Telephone: 703-305-3734